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Fall 2014

# Human Trafficking in Morocco: A focus on Sub-Saharan Migrant Women

LaDarrien Gillette

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# **Human Trafficking in Morocco: A focus on Sub- Saharan Migrant Women**

LaDarrien Gillette

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SIT Migration and Transnational Identity

Fall 2014

## Disclaimer

*“The research provided in this paper uses the terms that frequent scholarly research on the issue of human trafficking. As an activist fighting against this human rights violence I do not associate those who have experienced the perils of human trafficking and lived to speak about it with the term ‘victims’ but instead with the term ‘survivors’. In order to present my evidence without any bias I chose to commit to using the term “victim” as to follow previous research done on this topic in global contexts and to not create any sort of confusion within the readers understanding of the information provided”.*

## **Acknowledgments**

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*Pilar Martinez*

*Migrant women within Morocco*

## Table of Contents

Keywords.....	5-6
Abstract.....	7-8
Introduction.....	9-12
<i>Topic, Method, Process, Summary of Findings</i>	
Sexual Exploitation of Migrant Women.....	13-17
<i>MSF Report 2013, MSF Report 2010</i>	
Reasons for Leaving.....	17-21
Political Atmosphere.....	22-28
<i>UN, U.S Department of State, IOM, UNHCR</i>	
Moroccan Response to Trafficking.....	28-33
<i>UNODC, Thomson Reuters Foundation, CNDH, IOM Morocco, Ministry of Foreign Affairs</i>	
Principle Organizations Helping Migrant Women.....	33-36
<i>Medecin du Monde, Oum el Banine, Fondation Orient Occident, Caritas</i>	
Conclusion.....	36-39
<i>Findings, Recommendations, Challenges, Future Research</i>	
Works Cited.....	40-41
Interview Questions.....	42-44
<i>IOM Morocco, FOO, UNHCR Morocco</i>	
Consent Form.....	45

## Keywords

- IOM: International Organization for Migration
- MSF: Medecin Sans Frontiers (Doctors Without Borders)
- TIP: Trafficking in Persons
- TVPA: Trafficking Victims Protection Act
- Migrant: A person who moves from one place to another usually in search of better conditions
- Refugee (UN): fleeing country because fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality, and is unable to remain safe in his country
- Asylum: The protection granted by a nation to someone who has left their native country as a political refugee
- Sub-Saharan Africa: Sub-Saharan Africa is, geographically, the area of the continent of Africa that lies south of the Sahara Desert
- Human Trafficking: The illegal movement of people, typically for the purposes of forced labor or commercial sexual exploitation
- Sexual Exploitation: A person who induces another person to undertake or endure a sexual act by serious abuse of that person's position of dependency on the perpetrator, shall be guilty of sexual exploitation
- UNHCR: United Nations High Commissioner for Refugees and Asylum Seekers
- OHCHR: Office of the High Commissioner for Human Rights
- SGBV: Sexually and gender-based violence

- AVM: Assistance to vulnerable migrants
- AVR: Assisted voluntary return
- GADEM: NGO in Morocco aiding migrants in legal cases
- UNODC: United Nations Office on Drugs and Crime
- MENA: Middle East and North Africa region
- DIDH: inter-ministerial delegation for human rights in Morocco
- Irregular migrants: Undocumented migrants

## **Abstract**

The purpose of this study was to report on the situation of exploited and trafficked Sub-Saharan migrant women in Morocco. With the lack of legal framework to recognize or combat human trafficking my research focuses on the broader context of trafficking as a means to exploit mostly women in regards to sexual assault. Since the crime is not explicitly defined within Moroccan penal code there are no specific organizations dealing with survivors of trafficking but there are a few that indirectly address women migrants. The irregular situation of migrants in Morocco makes their involvement with being trafficked more complicated than the simple buying of a person in exchange for services whether it be sexual or labor related. In the situation of some migrants in Morocco from south of the Sahara sexual exploitation is forced upon the women for pleasure in some cases and in others used as payment for crossing certain barriers during the migration journey. Data was collected from international organizations, local organizations and actual Sub-Saharan migrants here in Morocco. In addition research was collected from reports on the situation of migrant women and the likelihood that they would be victims of SGBV. As Morocco is now a country receiving a higher number of migrants than before it now must address some of the health and legal issues that migrants are facing within the country's borders. Although trafficking is not mentioned in the law, there are other crimes within the penal code that can be used to prosecute traffickers. In the case of migrants this may be more difficult because of the irregular situation of the women and sometimes the lack of the government to recognize their human rights. With added international pressure the government of Morocco is drafting an action plan to combat the trafficking of women and with the new policy will come grassroots organizations to aid migrant women who are victims. As of now



since this issue is newly recognized by Morocco there is limited on the ground work being done to aid migrant women who have been exploited and/or trafficked. The analysis outlined in this paper will go into detail about the help already offered in Morocco, the political atmosphere behind the movement to combat the exploitation of women, the challenges Morocco will face and possible long-term solutions to ending sexual exploitation. .

## **Introduction**

### ***Topic***

As migration flows increase dramatically around the World, border control is becoming the targeted solution for controlling the amount of undocumented migrants trying to enter countries. In the case of Europe, recent border tightening in the South has made it much more difficult for migrants to enter, leaving them stranded in Northern Africa. As the most stable North African country in comparison to Algeria and Egypt, Morocco has found itself as the country dealing with an influx of Sub-Saharan migrants who were unable to get through to Europe. As a migrant hosting country the international community has taken an interest in the political steps Morocco is planning to take in order to provide assistance to migrants.

As migrants are already at a vulnerable position they repeatedly fall victim to violence at the hands of local people, police and criminal gangs. In the case of women migrants the level of danger associated with migration is at a much higher risk than that of a male, simply because of their gender. As women make the trip from their country of origin some are completely unaware of how stressful the journey will be or how they have a high chance of being sexually assaulted somewhere within the journey. With the likelihood of assault also comes the likelihood of physical, mental and psychological issues which can have a lasting negative effect on the woman for the rest of her life if not treated properly. For most, returning home is not an option because of either economic reasons or stemming from the threat of violence because of civil/political unrest within the country of origin.

As the issue of violence against women becomes more important on the international agenda the UN has paid very close attention to countries of not only destination but also countries of transit such as Morocco and their plan to offer assistance to women. According to The United Nations Special Rapporteur on trafficking in persons, Joy Ngozi Ezeilo, she urged Morocco to take on a victim-centered approach to combatting the trafficking of persons in 2013. “She welcomed the Government’s ratification of the UN Trafficking in Persons Protocol, and urged it to translate its standards into specific actions to protect and assist victims, prevent trafficking and punish perpetrators” (OHCHR, 2013). Although Morocco ratified this protocol they currently still do not have an actual law in place that addresses the specifics of trafficking but instead have in place crimes that fall under trafficking such as rape and kidnapping. With the lack of legal framework this human rights violation has been able to flourish without considerable assistance to those in the most need, migrant women.

### ***Method***

The topic of migrant women by itself is a sensitive subject to explore. In addition the topic of sexual exploitation and trafficking is something that must be taken very seriously, with regards to the vulnerability of the women. Because of this I decided to conduct informal interviews with irregular migrants who had information on this issue. In order to ensure the safety of the female survivors no names were written down with my research. As for the institutions that I had a chance to speak with a more formal interview was conducted to hear the specifics of what the government of Morocco was contemplating to eradicate trafficking within the country and to provide survivors with the adequate amount of assistance.

## ***Process***

With the help of a migrant leader in the sub-Saharan community I was able to meet migrant women to learn from them the plight of migrant women. I informed them that my research was focused on gathering information on what migrant women go through during their journey and what aid is offered in Morocco to assist them in various aspects of healthy and sustainable living.

Interviews were conducted with various representatives from different organizations, international and local, in order to gain key aspects and insight of what was being done on the ground in Morocco to assist the recovery of women who had been sexually assaulted during their migration journey. These interviews were fairly formal with some questions leading to an extended discussion. A translator was present when needed to ensure as much of the officials speech was being correctly explained. If representatives were unable to meet with me in person, information was collected from the organizations website to gain insight on the logistics behind their projects.

I chose to use note taking as my primary way of recording information. I realized that using a tape recorder could impose fear subconsciously for not only officials but also survivors of sexual exploitation. Before the interviews I also asked for permission to use the information shared in my research paper and offered anonymity to the migrant individuals who were willing to share their stories with me. Sharing my intentions with them fully was also an important step in creating a bond and remaining ethical in my research. I found it helpful to explain to the women

that this work was similar to projects I did in the U.S and that I was truly dedicated to spreading information and awareness on the sexual exploitation of women around the World.

### *Summary of findings*

The purpose of this research was to explore the new mission Morocco is creating in order to address the issue of human trafficking and exploitation of sub-Saharan migrant women. The data gathered sheds light on the steps Morocco will need to take in order to provide assistance to women and spread awareness. As survivors of sexual exploitation these women have found themselves in a country where resources are scarce and government help has not been provided on a large scale. Through my interviews I found out that sexual violence is something experienced by a large portion of migrant woman, especially on a route that takes several months. On the ground however there are several different actors working to help women in need with medical treatment and living conditions but no organizations yet with the sole mission to help sexually exploited/trafficked women. With the lack of policy in Morocco at this time against human trafficking and exploitation of migrants there is a huge lack of information being spread on credible ways to assist them. International organizations have been able to fill the gap of assistance offered slightly where the Moroccan government lacks.

Through publications and interviews I have been able to isolate a possible reason why Morocco has taken on this new task of combatting trafficking and exploitation, which can be seen as a significant push from international agencies and a need to address the large migration population within the country. With the tightening of the European borders many migrants are left stuck in Morocco, which none of them originally intended as their destination country. Also with the increase in civil unrest and economic inequality in sub-Saharan African added to the

dangerous condition of countries in the Middle East, Morocco is also seen as a suitable stopping place for migrants seeking refuge.

As Morocco begins to compile a sufficient policy against human trafficking and exploitation of humans there has been little done by the government to provide assistance to women at this time. Many of the actors helping female migrants that I have been able to find adequate information on are largely funded by international money, although some may be operated by local Moroccans. As for legal framework, although the Moroccan penal code does not have a law specifically addressing trafficking there are other laws that criminalize things such as rape, prostitution and the transport of people. A willing lawyer could use these laws to prosecute a trafficker but there is a noticeable difference in the treatment of migrants that would make them less likely to receive legal help on this issue. Without a specific law against trafficking, if a trafficker were prosecuted they would not be charged to the full extent of their crimes since rape and transport are just parts of the bigger issue of trafficking. Human trafficking is a crime against humanity and exploits vulnerable people by placing price tags on them, interferes with the borders of a country and leaves women at an even more vulnerable position once they arrive to a new country where they will more than likely receive no legal help.

## **Sexual Exploitation of Migrant**

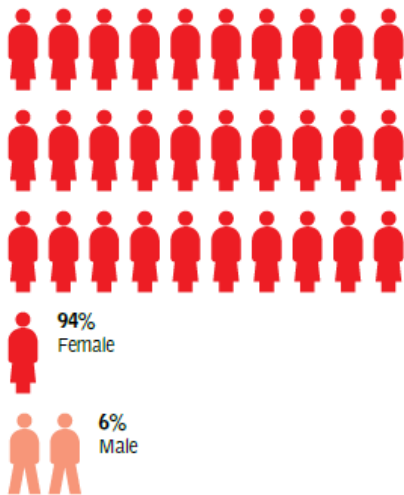
### ***Violence, Vulnerability and Migration MSF Report 2013***

As migration within the continent of Africa from sub-Saharan countries northward increases, the European Union focuses on the tightening of its borders to ensure less immigrants from Africa. As the access to border crossing becomes more difficult, the routes become more

dangerous and the vulnerability of migrants increases. In the case of Morocco as a transit country for those seeking entrance into Europe it now faces the challenge of hosting migrants long-term because of the EU's policy on border permeability. Also with the heightened criminality of smuggling migrants, the trafficking of human beings and exploitation of women has become a

part of the process. As most migrants cannot return to their home country they are left without adequate health care and economic stability in Morocco.

#### Gender



Suffering from sexual exploitation and assault many migrant women are exposed to various health issues, pregnancy and mental/psychological stress. Medecins Sans Frontiers also known in English as Doctors Without Borders was present in Morocco from 1997-2013 (graph to the left indicates percentage

of each gender helped) and has provided

the most comprehensive data and

MSF, 2013

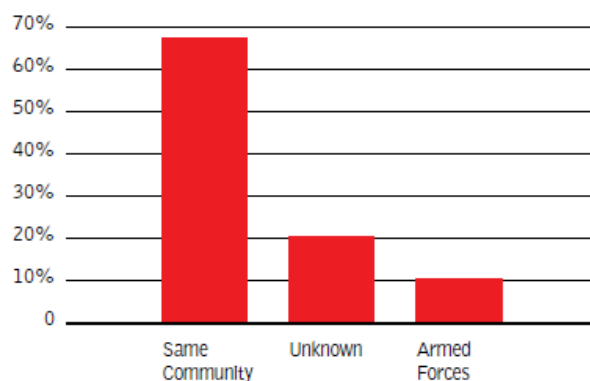
research on the suffering of migrant women in Morocco.

As an organization set up to provide medical assistance to vulnerable populations they were also able to speak to migrants to find out what type of violence they had encountered along their journey. Along with listening to the migrants MSF provided psychological help and humanitarian needs. In 1999, MSF focused on helping vulnerable populations including sex workers and single mothers in their offices set up in Rabat and Casablanca. The organization spent time treating STIs, raising awareness and reducing child mortality.

In 2003 MSF Morocco shifted its focus to aiding sub-Saharan migrants because of the trauma they noticed they were experiencing during their migration journey. Although data was

difficult to measure due to nature of the crimes being experienced by women, the small data collected proved to be shockingly alarming. “From 2010 to 2012 MSF treated 697 survivors of sexual violence in Morocco, including 122 in Oujda and 575 in Rabat. Amongst those survivors that were willing to provide specific information, almost three quarters had experienced more than one incident of sexual violence and half said they had experienced multiple incidents involving different attackers” (MSF, 2013).

**Identity of Perpetrator**



MSF, 2013

As migrant women are in a vulnerable state they face exploitation from different individuals encountered during the journey. These men include other migrants, persons met on the route, armed forces and criminal gangs. According to MSF’s analysis, approximately 35% (n. 240) of the survivors of sexual violence assisted by MSF between 2010 and 2012 were victims of human trafficking networks. Primarily women and girls, these patients are particularly vulnerable as they have little or no control over their sexual and reproductive health, have limited freedom of movement and are often kept captive and subjected to continuous exploitation and sexual, physical and psychological violence.



### ***Sexual Violence and Migration MSF Report 2010***

As a transit country, MSF stated that “an immediate and comprehensive institutional response at national and international level [was] needed to give victims appropriate attention” once they reached Morocco (MSF, 2010). Sexual violence was reported as the highest form of violence against migrant women and was looked at closely by MSF to collect data on the regions where migrant women were experiencing this crime. Throughout the route women reported different levels of violence, one interesting place to look at was the border between Morocco and Algeria. As Algeria is referred to as Tier 3 by the U.S State

MSF, 2010

Department’s Trafficking in Persons Report there has been a heightened awareness of exploited women who pass through this country (U.S Department of State, 2012). The usual route taken by sub-Saharan migrants leads them through the city of Maghnia in Algeria and over to Oujda in Morocco. MSF reported that 59% of 63 women they spoke with stated that they had experienced sexual violence at the border. Of that same number 1/3 reported being sexually assaulted by Moroccan authorities. A 31 year old male migrant told MSF workers that,



*“A woman who has just arrived in Maghnia becomes the property of whoever wants her; she can’t refuse, she can’t leave, everything is paid for with sex. Even if she is with her baby or child, every woman must go through the same thing”.* Also reported by the migrants was the fact that Moroccan authorities would deport them to Algeria, leaving them in the desert in the middle of the night.

To aid Morocco in its work to combat the trafficking and exploitation of female sub-Saharan migrants, MSF provided comprehensive measures that the government should take and important dialogue that needs to be had.

- Awareness around the resources available to migrants needs to be a priority
- Stigmatization suffered by sub-Saharan migrant women because of their gender and lack of documents has left little attention given to them
- No specific resources are dedicated to female sub-Saharan migrants who have been sexually exploited
- Irregular situation of migrants makes it difficult to provide prolonged placement in the country and should be considered as an issue
- No coordinated response has been drafted by the government explaining the steps that will be taken to assist women

### **Reasons for Leaving**

Slavery is an issue that many associate with the Transatlantic slave trade during the period between the 1500s and the late 1800s until its abolishment in 1867 by the Western powers of the U.S., Britain and Spain. An issue that many don't associate with the 21<sup>st</sup> century nor do they think it has anything to do with migration and migration policy. In fact there is a form of modern day slavery and exploitation that has a huge impact on the migrant population and is referred to as human trafficking. Human trafficking, under the UN is defined as,

*“the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of*

*payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs”.*

As human trafficking became more of a problem and was recognized by the international community there were protocols set forth to address this issue as a violation of human rights stemming from criminal activity within organized crime syndicates. The World came together to fight the trafficking of persons as it drafted policies to combat trafficking and laws to prosecute traffickers. Some room was left open that pushed for the importance of countries to provide aid physically and mentally for those who had been victims of this crime, but it wasn't as necessary as the legal approach to putting away criminals behind the operation. As the International community scrambled to step up the war on trafficking of human beings it became more involved with the consequences of human trafficking instead of looking at the root causes of the problem. They failed to study what was causing people to resort to risky and dangerous options in order to travel to another country. In the case of Africa there may be more to the abundant amount of human trafficking that is happening between countries that does not have anything to do with higher criminal mentality of people nor the devaluation of human rights. Instead there may be a link between the socioeconomics of developing countries and the heightened level of trafficking of persons to wealthier countries. The reluctance to address socioeconomic root causes of migration may allow trafficking to continue no matter how tight a countries borders are nor how strict laws are on the issue.

During the last few decades Sub-Saharan Africa has gone through many changes due to poverty and war. This part of the continent has also had political and economic issues in response to globalization fostering unequal trade and leading to heavy international debt within the countries. In addition disparity between the rich and the poor has led to an increase in migration to wealthier countries in search of economic opportunities (Idemudia). With border control being a newer issue in the international community, restrictive borders and strict immigration laws have also been the culprits in the development of riskier forms of migration. According to the International Rights Law Institute of DePaul University, “most trafficked persons around the World are women and children of low socio-economic status who move primarily from developing to more affluent countries in search of a better life” (Idemudia). So not only is trafficking a human rights violation in itself but also very detrimental to women as a whole as a consequence to their search for economic prosperity. As if the journey of a migrant isn’t hard enough you have to keep in mind the perception of migrants as “illegal” people and therefore are usually denied their basic human rights. In 2001 a UN deputy general of IOM reported that human trafficking was driven by the demand for women and children’s bodies in the sex industry and was fed by women who had been denied equal opportunity to education and economic advancement. In 2003 another UN deputy general blamed trafficking on, “unsuccessful economic transition, bad governance, corruption and gender-based discrimination...” (Idemudia). This statement started to pull at the root cause of the problem of trafficking, instead of solely attacking the criminality behind it.

When looking at the root cause of trafficking it is crucial to examine the country in itself as it relates to the crime. Simply placing all human trafficking causes under one umbrella may not be the smartest or best idea being that each country has its on issues that manifest themselves

in different ways. In the case of countries within Sub-Saharan Africa it is not so much the demand for human beings but possibly linked to the amount of vulnerable human beings in search of transport to another country because of their own countries internal issues. In countries like Nigeria, where Morocco receives many of its migrants, women usually have someone who facilitates their travel, placing them in an obvious vulnerable position. According to a professor at the University of Massachusetts, “sexual exploitation preys on women and children made vulnerable by poverty and economic development policies and practices” (Mules). With this knowledge simply persecuting the traffickers will not stop the migration of vulnerable people nor scare many people from becoming a trafficker themselves. With most countries in Africa still being classified as developing, there is a heightened level of migration and with tighter borders come the heightened level of traffickers. Vulnerable population are looking for economic stability and with that they risk ending up in a situation of trafficking. While on the other spectrum other populations of people looking for financial gain end up as the perpetrators of this crime, all a vicious cycle fueled by the displacement of people stemming from the underdevelopment of a nation.

Another possible reason for the movement of migrants is linked closely to the distress of their country stemming from a current civil war or a previous ones lasting effects. In particular discourses the focus is that civil war slows down development but in hindsight civil war has a mutual relationship with development. Not only does civil war slow down development but slowed development can be one of the reasons for a civil war. Typically civil wars last for approximately 10 years, forces the migration of the countries citizens, leads to a breakdown of health systems and has a negative effect on the economy. In regards to economy with most of the cost of a civil war coming at the end of the war, the reconstruction period will be very costly to a

country. The average cost for a civil war is priced at \$50 billion U.S dollars and with an average of two civil wars per year the cost can total up to \$100 billion U.S dollars, for many countries already receiving outside aid (Collier, 2004). Funds are funneled to specific projects during reconstruction that may not necessarily benefit the population at large, leading some to abandon their homes in search of peace in another one.

Civil wars are caused by several factors which are not always clearly defined by those trying to expose them. The factors can be misconstrued and interpreted by individuals to support their own perspective on conflict (Collier, 2004). The elements could be linked to particular incidents, government error and sometimes even by just plain luck or chance. Collier explains that a long-term solution in regards to civil wars could be to focus more on factors that could lead to them instead of searching for the actual causes of them. Among the most influential factors are that of low income, low growth and dependence upon natural resources. From data statistics the doubling of a country's income could cut its chances in half of suffering from a civil war. In addition reducing a country's dependency on natural resources also has a significant effect in reducing civil unrest.

Trafficking can be looked at through the lens of a migratory response to current globalizing socioeconomic trends and civil unrest within the scope of Sub-Saharan migration northward. With this idea in mind counter trafficking efforts should target the reasons why individuals are so willing to place themselves in a risky situation. It can be said that many migrants do not know about the dangers of trafficking but it can easily be said the migrants know the journey will be a dangerous and difficult one. In the International Framework of combatting human trafficking there are three main goals; prosecute, protect and prevent. All three of these responses are linked to the consequence of trafficking, even that of prevent which usually entails

organization that work to raise awareness about the exploitation in general. When governments approach the issue with laws against it they fail to approach the issue from the cause side, allowing no decrease in human trafficking trends since the implementation of various international laws. What has to be looked at is globalization and the effect it has on widening the gap between the rich and the poor within countries as well as portraying specific countries as lands of opportunity and a promise to a better life.

## **Political Atmosphere**

### ***United Nations***

“The United Nations Special Rapporteur on trafficking in persons, especially women and children, Joy Ngozi Ezeilo, called on the Government of Morocco to work on ensuring a victim-centered approach to combating trafficking in persons” (OHCHR, 2013). This statement came shortly after Morocco ratified the UN Trafficking in Persons Protocol and Ezeilo went on to urge that the country take the specific action of assisting victims, preventing trafficking and punishing perpetrators. One of the reasons Morocco suffers from this crime is because of its location as a source, transit and destination country for migrants. An irregular migrant has a high risk of being forced to partake in domestic labor or sexual exploitation. The UN’s first concern in the case of this country was to address the lack of legal framework in place to assert trafficking in detail as an actual crime. In addition to the framework would be a comprehension action plan to punish traffickers and help identify victims of trafficking from other migrants so that they can be provided specific and adequate care. Adequate care is linked to protection and support services offered to women to ensure their recovery. Suggested by an independent human rights expert

from the UN was the need for not only an anti-trafficking action plan but also the building of an agency designed to deal specifically with this crime. The UN concluded that with these suggestions and with the building of correspondence between Morocco and other countries that the country could take a noticeable stand against the trafficking of persons.

### ***U.S Department of State Trafficking in Persons Report***

The Office of Trafficking in Persons within the U.S Department of State has been dedicated to the researching and creating of documents outlining the issue as it pertains to countries around the World. The Trafficking in Persons Report (TIP) is released every year, rating countries on their efficiency to address human trafficking and providing recommendations to the country to help better its efforts. The TIP also stands as the “principle diplomatic tool to engage foreign governments on human trafficking” and leads to an increase in dialogue related to trafficking (U.S Department of State). The report is also recognized as the “world’s most comprehensive resource for governmental anti-human trafficking efforts” and is used for government agencies, international organizations and local agencies. Separated into three tiers the report provides these ratings in correspondence with the country’s ability to meet the minimum standards of the elimination of trafficking set forth in Section 108 of the TVPA (Trafficking and Violence Protection Act). According to the standards the highest tier a country can get is 1, meaning that it has recognized the issue, taken steps to eradicate trafficking and provide assistance to victims and persecute the offenders.

In the 2013 TIP report Morocco was listed as Tier 2-Watchlist indicating that the country had recognized trafficking as an issue but had not yet created any legal documents to consider it a crime. As detailed in the report, Morocco was facing a huge number of women and girls being



trafficked into prostitution and had a high level of migrants from the DRC, Nigeria and Cote d'Ivoire who were victims of trafficking. With criminal networks in the Northern part of Morocco trafficking flourishes as migrants try to make their way into Europe but instead find themselves in a vulnerable situation of exploitation. The Office of Trafficking in Persons listed the following recommendations that Morocco should consider in order to address the trafficking of individuals.

- Draft and enact comprehensive anti-trafficking legislation that prohibits all forms of trafficking and prescribing penalties for those who commit the crime.
- Incorporate a strategy for victim identification and referral mechanism for those in need of any type of support stemming from being exploited.
- Provide additional funds to NGOs providing resources to human trafficking victims
- Ensure that victims are not punished for crimes related to being trafficking such as entering the country with proper documents.
- Encourage victims to participate in investigations that can lead to the persecution of traffickers.
- Lead public awareness campaigns so as to involve the community as a whole in fighting against the trafficking of humans.

### **International Organization for Migration**

In 2011 the IOM released a report entitled, "Counter Trafficking and Assistance to Vulnerable Migrants", detailing its activities in relation to this issue within the countries that the organization was stationed in. As an international organization the IOM strives to work with partners within the country to employ strategies to deal effectively with migration. In the global

context of human trafficking discussed in the report were the factors contributing to the continuation of trafficking. These factors included; the demand for cheap labor/ sexual services, the push of migration due to the lack of equal opportunity and underdevelopment and strict border and immigration policies. Globally the IOM helped 26,000 trafficked persons between 1997 and 2011 through 220 AVM projects in 94 countries. Coordinated through dialogue, data collection and direct assistance the IOM worked to tackle the issue of human trafficking. The organization has decided to take on the protection through an assistance approach in regards to human trafficking and views trafficking through the lens of border policies and migration. With the help of national and civil agents IOM has been able to set up divisions within the bureau handling certain areas of migration and trafficking.

One division, referred to as MAD (migration assistance division) aims to protect and assist migrants in need, including those who are victims of trafficking. This objective can only be accomplished however through the coordination between the IOM and the national government of the country. Through a rights based stance IOM involves itself in helping establish shelters for the protection of victims, usually with the cooperation of local NGOs. These shelters are provided for victims who seek refuge where they will receive treatment according to the IOMs 2009 Caring for Trafficked Persons report. This report outlines 12 key ethical and human rights standards that should be integrated into all aspects of health care for trafficked/exploited individuals.

“In Morocco the IOM works together with the Ministry of Interior to raise awareness about human trafficking” according to an official at the Moroccan IOM office, although there have been no campaigns led thus far. Not only is raising awareness a priority but also the training of certain actors to be able to identify victims and the developing of projects to protect victims

leading the countries efforts. With this issue as a new concern for Morocco there are no specific NGOs providing aid to victims, which is also a concern for the government to identify these as soon as possible to aid in the rehabilitation process. The partners linked with the IOM in Morocco are Delegation d'immigration (Nador), Medecin du Monde (Oujda) and a Catholic Church (Tangier). Together these civil organizations and the IOM are among others providing some type of care to victims of human trafficking who have been exploited sexually. The IOM office in Rabat, reported that Morocco's number one priority in regards to combatting human trafficking is to help with re/integration of migrants back to their home country. One major problem faced however within the organization is the difficulty in the classifying of migrants as victims of trafficking. Usually an agent from IOM conducts an interview with the migrant to analyze the type of help they are seeking and what the IOM can provide. Within these sessions as sexual exploitation is a stressful and sensitive subject it is something that migrant women are not necessarily eager to express or even realize that they can receive help for.

Another division of the IOM is the AVR (assisted voluntary return) program which helps migrants who want to return to their country of origin. The program provides transportation and reception assistance for the migrant. In Morocco this is the only work they do directly with the migrant population. If the migrant fears for their life when considering returning to their home country the IOM refers them to the UNHCR.

### ***United Nations High Commissioner for Refugees and asylum Seekers***

“Human rights are universal, inalienable, indivisible, interconnected and interdependent. These rights are without regard to race, color, sex, language, religion, political or other opinion, national/social origin, property, birth or status and individuals are entitled to respect, protection, exercise and enjoyment of all fundamental human rights and freedoms” (UNHCR, 2003). The

UNHCR created a report on violence against women in 2003 that provides useful information on the exploitation of women globally. According to the publication SGBV (sexually gender-based violence) flourishes where there is a lack of concern for human rights. Around the World 1/3 of women have been beaten, coerced into sex or abused in her lifetime. As the sole protector and provider for individuals, states are obligated to ensure equal enjoyment of all economic, social, cultural, civil/political rights for women and men.

UNHCR, located in the capital city of Rabat, has calculated a count of 1,470 refugees and 3,503 asylum seekers. Due to the unrest in the region a lack of protection is felt by migrants especially from Sub-Saharan Africa. In Morocco most asylum seekers are coming from Syria

<b>Country</b>	<b>Number of refugees</b>
Ivory Coast	262
Congo-Kinshasa	129
Iraq	84
Palestine	32
Others	57

<b>Country</b>	<b>Number of asylum seekers</b>
Syria	1,138
Congo-Kinshasa	585
Ivory Coast	472
Nigeria	380
Mali	336
Cameroon	256
Central African	96
Others	541

UNHCR, 2013

while the second largest population comes from Cote d'Ivoire. This year the UNHCR set out to help the Moroccan national government establish its own asylum infrastructure by providing training, conducting workshops and facilitating professional exchanges. Until this response is fully completed the Moroccan government will not be acknowledging additional refugees, although the UNHCR will continue their efforts to accept refugee applications and conduct

interviews that will be shared with the Moroccan government.

The UNHCR works with several agencies within Morocco including the following government agencies.

- Ministry of Foreign Affairs and Cooperation
- Interior Justice and Liberties
- Ministry of Health
- Ministry of Education
- Ministry of Labor and Migration
- The National Council on Human Rights

Also provided by the UNHCR are referral agencies to help victims of SGBV in Morocco.

- Fondation Orient Occident
- Action Urgence
- Caritas
- Association de Lutte Contre le SIDA (ALCS)
- AMAPPE
- Womens Cooperative in Chefchaouen

## **Moroccan Response to Trafficking**

### ***United Nations Office on Drugs and Crime***

In a report released by the UNODC in 2009 it was reported that Morocco indeed had a law within its penal code prohibiting the trafficking of persons. The criminal code explains “the transport of people” as an offense but does not express in detail the definition of trafficking nor

does it distinguish between sexual exploitation and forced labor. By leaving this definition open ended it allows for misinterpretation as well as lack of knowledge for those within the country deemed responsible for knowing the full extent of the law. Article 52, law n. 02-03 sanctions “any individual who organizes or facilitates the entry or departure of nationals or foreigners in a secret manner within Moroccan territory...particularly by transporting them, whether for free or for charge” (Gadem). Without providing a comprehensive law against trafficking in all of its forms the law does not address the severity of this crime as its own offense, instead it focuses more on the smuggling of persons into Morocco. This law also does not distinguish between smuggling and trafficking. In terms of smuggling persons, groups charge a fee to migrants to transport them to another country with all actors involved being willing participants and fully aware of what they are choosing to do. What differs in trafficking is that the vulnerability of the person is taken advantage of in order to exploit them whether it be for sex, labor or even an outrageous debt bondage. As a major human rights violation the crime of trafficking cannot be taken lightly or dismissed as a migrant trying to enter another territory illegally.

Additionally according to the report, Morocco has several laws related to the labor and sexual exploitation of persons. In Article 467 forced child labor is prohibited, followed by Article 497-499 which prohibits forced prostitution and the prostitution of children. Once again forced prostitution can be closely linked to sex trafficking but still has so many differences that it does not fully include the definition of sex trafficking to its fullest extent. In the case of migrant women from sub-Saharan Africa some are sexually exploited in order for the group of migrants to move on in the journey in some cases. Through the crime of rape, sexual exploitation can be linked to being a criminal act within the country. Finally, Article 10 criminalizes the forced labor of a worker.

### ***Thomson Reuters Foundation***

Research done by the Reuters foundation surveyed countries in the MENA region to gauge the illegality of prostitution and human trafficking. According to the report, “human trafficking is specifically criminalized in all MENA countries except Morocco, which has not promulgated an anti-trafficking law but relies on the penal code to criminalize human trafficking” (Reuters, 2012). The penal codes within Moroccan law clearly criminalizes the sale of sex, the profit/promotion off another’s prostitution and the profit off prostitution of a minor. It is unclear within the penal codes if trafficked victims will be exempt from prostitution related crimes, criminalization of sex trafficking, the distinction between sex/labor trafficking and the illegality of facilitating sex trafficking.

### ***National Human Rights Council***

The CNDH released a report in 2013 entitled, “Thematic report on situation of migrants and refugees in Morocco”, with the help of the DIDH and the IOM. As the leading voice on human rights violations within the country CNDH drafted a list of recommendations that the Moroccan government should take in order to fight against the trafficking of persons. Influenced by international agencies the CNDH specifically addressed the need for Morocco to use the United Nations definition on human trafficking as to provide a framework understood globally. Also suggested was a focus on the injustice of the exploitation of others, at minimum the definition being defined as, “the exploitation of the prostitution of others or other forms of sexual exploitation, forced labor or services slavery like or practices similar to slavery, servitude or the removal of organs” (CNDH, 2013). Also lacking from the legal framework was the importance of creating a code to ensure the protection of victims, witnesses, experts and whistle blowers in regards to cases of trafficking. The importance of identifying the traffickers would allow for the

persecution of those responsible and possibly the break-up of trafficking rings. For this to happen however those involved need to feel protected in order to open up and share valuable information. If the only action taken is to ensure assistance to victims and nothing else then the traffickers will be allowed to continue victimizing other innocent people and the cycle will never end.

Aside from adjustments made to law were the additional recommendations needed to create a network of actors working against trafficking. With just a simple law in writing not much would come from it in practice but with the right amount of knowledge and programs the law would have a better chance of being enforced. As the crime of trafficking is not a wide known issue within the country, the launching of a national awareness raising campaign accompanied by a national survey would be the best way to introduce the crime to Moroccan citizens. This would be the beginning of the national plan to combat the trafficking of persons followed by the development and implementation of a training program directed at law enforcement. This program would provide the definition of trafficking, victim identification techniques and a referral system in place for victims found by law enforcement. CNDH realized the difficulty in combatting trafficking and added to their recommendation the importance of partnerships with international organizations, local NGOs, law enforcement, national security and border police to ensure the best national response to trafficking as possible.

### ***IOM Morocco***

In a response to the heightened awareness of trafficking within the region, IOM Morocco conducted a training program on migration, human trafficking and integrated border management in June of 2014. Funded by the Swiss Agency for Development and the IOM Development Fund a session was conducted and led by IOM Morocco, UNHCR Morocco, IOM



Egypt and IOM Mauritania. Local partnership was made with the Ministry of Moroccans Living Abroad and Migration Affairs to ensure the exchange of knowledge between international actors and local ones. Those participating in the workshop were officials representing a range of ministries including the Ministry of Education, Ministry of Interior, Ministry of Justice and several others. The workshop was used to facilitate dialogue on the protection of victims of trafficking as well as the best practices to enhance border maintenance.

### ***Ministry of Foreign Affairs (MFA)***

As the bureau responsible for reporting on issues and data in regards to foreigners and other countries, the Ministry of Foreign Affairs plays a huge role in the issue of trafficking as it pertains to the movement of people across borders. In reviewing the website there is a specific page dedicated to the fight against human trafficking and lists the Moroccan government's views and laws on this human rights violation. In contrast to the research stated in my paper the MFA highlights achievements made by the country to combat human trafficking that cannot be located anywhere else but the MFA website. The page claims that, "due to its geographical location, Morocco has always been aware of human trafficking networks in the case of irregular migration" (Ministry of Foreign Affairs). Not only is it stated that Morocco has always recognized trafficking it also states that important efforts have been made to fight against the trafficking of people and that Morocco has already implemented programs within the country to combat trafficking. "It has proceeded to the creation of identification mechanisms, repressions of networks and implementation of a victims transfer procedure to host assistance centers, created by social actors" and as of present day the government is simply working to perfect these projects. In addition the site makes it clear that Morocco is a cooperating partner with the United Nations and has been proactive in signing the following; The UN Convention Against Organized

Transnational Crime, The International Convention on Protection of All Traveling Migrants and Members of their Families, The Convention for the Repression of Human Trafficking and Exploitation of Prostitution. Linking the criminalization of trafficking to article 52, law n.02-03, which does not even use the word trafficking within it.

Although Morocco's Ministry of Foreign Affairs reports that it has known about human trafficking networks for quite some time, because of the position of the country, there is no research or data that has been done by Morocco on this issue. All the data collected has been from either international agencies or agencies in partnership with local NGOs. Also if Morocco has known about this for some time, why is there no law specifically dedicated to prohibiting trafficking in all of its forms. After speaking with representatives from the IOM and the UNHCR I was informed that the action plan to combat trafficking was just starting to be created and would take some time to actually finish. As for the assistance centers for victims of trafficking there are no current organizations within Morocco dealing specifically with the trafficking of victims whether they are Moroccan citizens or irregular migrants. Some local agencies are equipped to help victims with medical treatment and possible psychological treatment but none specifically with the knowledge of this issue or mechanisms to aid victims in the most helpful way.

## **Organizations Helping Female Migrants**

### ***Medecin du Monde (Oujda)***

This organization is located in Oujda, the border town between Morocco and Algeria. Taking over after the leaving of MSF, this organization deals with offering medical help to

migrants in need. In partnership with the IOM the goal of Medecin du Monde is to provide access to health care to vulnerable populations. Most migrants treated here are from Sub-Saharan countries and the organizations, with high numbers in the countries of Nigeria, Cameroun and the Congo. Medecin du Monde is not a substitute to a hospital but more of a compliment to one, providing funding for medications and putting into place a mechanism to refer migrants to places where they can receive the best treatment. In addition to the referral process is also the mission of raising awareness about what the organization does. A team of workers goes out twice a week to communities where migrants are living to share information with them and provide the number of the organization in case the person is ever in need of their service. Medecin du Monde is funded by Switzerland. Currently the organization is shut down due to the lack of being a registered organization with the Moroccan government, according to the IOM they are allowed to reopen once the correct paperwork is filed with the Moroccan government.

### ***Oum El Banine (Rabat)***

Also funded by Switzerland Oum el Banine helps to support women and children who are Moroccan and who are migrants. They provide information to migrants about their rights including access to healthcare, education and a birth certificate for children born within Morocco. Most of the women helped are migrants who have been sexually assaulted and sometimes who are pregnant. When women first arrive to the center they are greeted by a social worker who listens to them and then takes the necessary steps to provide them with medical care. According to social workers at the center they encounter many migrant women who have become pregnant en route to Morocco, many fund their trip by selling their bodies and/or are involved in trafficking networks.

### ***Fondation Orient Occident (Rabat)***

This foundation is in partnership with the UNHCR, founded in 1998 and specializes in helping poor migrants by providing them psychological services, social assistance and the integration of children into Moroccan schools. In addition the foundation offers classes on cooking, baking, computer literacy, basic French and jewelry/clothing creation. As a part of the social/psychological services offered there is a social worker on staff who deals with migrants who have experienced SGBV and who identify with LGBT. Currently, this social worker left the foundation to continue her master's degree but she was more than willing to share with me information in regards to procedures she would follow when aiding migrants. The first priority for victims of sexual assault at the foundation is for the staff to provide sufficient medical treatment. With STIs the period in between being exposed and receiving medication is only 72 hours, if the woman has passed this time limit than the medical treatment will likely be ineffective. The second priority is to find adequate housing for the woman. For those who need extra protection, in cases related to trafficking, immediate shelter can be provided on the foundations grounds in order to ensure protection and stability of the woman. Among the countries mostly represented at the foundation the list includes; Cote d'Ivoire, the Congo, Liberia and Nigeria among the Sub-Saharan countries.

### ***Caritas***

Caritas Morocco is a Catholic organization helping migrant women with finding shelter, medical care and providing them with psychological help as well. Taking on emergency humanitarian efforts Caritas is one of the first responders to helping migrant women as soon as

they enter the country. Legal aid is something provided to women who have experienced physical or any other abuse. One of the most important things offered is access to education about migration and helping women take care of their children and provide them with adequate schooling.

## **Conclusion**

### ***Discussion***

As Morocco begins to feel the international pressure to create a concrete action plan to combat human trafficking they lack what seems to be a fundamental plan that specifies what they need to do and who needs to be involved. By first making it clear what agency is in charge of what, Morocco will then be able to give out tasks to each agency specifying what job they need to complete. In the case of Sub-Saharan migrant women there is not much help they can get here in Morocco and what little help available is not advertised in all the areas of concern. Without a comprehensive anti-trafficking law migrant women are left in the shadows in gaining much legal assistance with crimes committed against them.

The agencies already located within Morocco will have to bear the cost side of aiding migrant women until Morocco creates its own funds to help, which is not the whole issue. The issue remains that to the outside World it appears as if Morocco has no care or concern for migrant women, being that most if not all of the agencies are funded by international money. Morocco is no longer a developing country, it has the funds to create organizations to help these women, this is the reason why MSF left in 2013. It is clear that there is a lack of understanding of how detrimental the crime of trafficking can be on people and the Moroccan government seems to have no interest in learning about it at all. No research has been done by Morocco, no

campaigns have been led by Morocco and no law has been created yet to define trafficking. Even with the added help of the international community, without the Moroccan government's true interest the task will be left to the hands of others and that is no way for a country to combat an issue of human rights.

### ***Recommendations***

As a transit, origin and destination country for migration Morocco stands to have an incredible problem with human trafficking. The most important aspect other than creating a law is to provide assistance to migrant women in all forms including medical and a means to either return to their country or find a safe place to reside. Although Morocco has now acknowledged the crime its next steps are the most crucial. The government can either spend countless years on trying to create its own unique tool to combat trafficking or it can take the help offered by international actors and form it in a way that specifically addresses trafficking in the country. With the help of others who have already drafted comprehensive laws Morocco can move on to adjusting and implementing programs within the country to aid victims.

The creation of an agency within the Ministry of Migration that specifically deals with all aspects related to trafficking would be beneficial to Morocco. This agency could be in charge of making sure the law against trafficking was enforced, victims given a chance to speak out against their traffickers and upholding the legal framework of the law in court. If trafficking becomes another task for the Ministry of Migration it may get lost in the shuffle of other important affairs so it is important to incorporate and staff an agency against trafficking who are knowledgeable as well. Also this agency could be in charge of research conducted and data collected and analyzed on various populations in regards to trafficking to better be able to concretely offer the right

amount of aid and the necessary forms of aid whether it be for sexual exploitation or labor exploitation.

An important approach to not forget in this fight to combat trafficking is the need for not only an awareness project at the national level but a creative awareness project that could engage the population and actually provide information to them that they would be receptive to. In partnership with other countries within Africa an awareness campaign could be launched across the continent to educate migrants on this human rights violation, also establishing the appropriate agencies equipped to handle and prosecute cases of trafficking. By doing this Morocco could involve the countries of origin in the matter of combatting trafficking in order to lower the risk of migrants putting themselves at risk.

On the ground assistance and medical care needs to be offered in the areas of concern for migrants. While the capital is Rabat and a place where migrants seek out, the place of entrance into the country is a point of concern. For those who have experienced sexual exploitation it is important that they receive adequate and quick medical care to lessen the chances of the migrant contracting an STI. If the woman has to travel hours to the capital she may lose the chance of fighting off STIs and HIV/AIDS. The spread of disease is a lot faster with the movement of people put can be combatted with the appropriate amount of emergency medical centers, most needed in the rural areas of Morocco and border towns in the case of migrants.

### ***Challenges***

Conducting research in Morocco in itself was very challenging with many obstacles to overcome. As an American woman I had to understand my positionality. To the officials I was an American student here to do research on the country and I feel like all the Moroccan officials

made sure not to say anything that could make the country look as if it did not care about human rights. I believe this could have influenced some of the answers I received. Also to the migrants I spoke I could tell some of them thought I was going to go back to America and be a solution to all their problems and I had to explain to them that I was still young and learning and not as much of a World Changer as I hoped to be one day. Language barriers made it crucial to have translators on hand in order to help facilitate questions and answers with different individuals. Speaking with someone who spoke another language than you also left little room for simple conversation. There were many times when I wanted to express myself to a person who was speaking but could not because having my words translated would allow for my emotion to be lost. Also government officials here were not always available or open to talking about issues to a student conducting a “simple” research paper which was a major set-back in some aspects of my research.

Data and research which addresses human trafficking is scarce from an academic perspective on Morocco. Most of the research I found was done by someone living outside of Morocco and/or did not speak about Morocco specifically but addressed the MENA region in general. With the lack of data on the country it was important that I gain as much research from the general context and then look at it through a Moroccan lens.

### ***Questions for future research***

Through my research I was able to informally learn about the issue of racism within Morocco. If I were to come back to do further research within the country I would look at the attitudes towards migrant women from South of the Sahara and their treatment by medical providers and law enforcement. I am curious to see how well migrant women will benefit from Morocco’s future law on trafficking if those in charge of helping also harbor racist ideologies.



Also I would be interested to see what help in addition to medical assistance will be offered to migrant women who cannot return home and who are in need of housing and economic sustainability. Medical assistance is a much needed primary response to trafficked victims but if there is no long-term support for them they could easily fall victim to unsafe ways of gaining money in Morocco.

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## **IOM Morocco Interview Questions**

1. Is there research being done in Morocco on human trafficking as it pertains to migration?
2. How is the IOM building awareness about human trafficking?
3. Is the IOM helping the government build a policy against human trafficking? Has it made plans to provide training to organizations, law enforcement and government officials?
4. What direct assistance is offered to victims?
5. How are migrants educated on their rights and the assistance they can receive from IOM?
6. What NGOs are you partnered with?
7. How are migrants assisted if they want to return to their country of origin?
8. Is there legal support offered?

## **Fondation Orient Occident Psychologist**

1. What was your role at the foundation
2. What treatment did you offer to migrant women from sub-Saharan Africa?
3. What were common stories you heard from the women?
4. What kind of physical problems did you see on the women?

## **UNHCR Morocco**

1. What is the process to apply for asylum?
2. Do you play any role in aiding in the combat against human trafficking
3. Does UNHCR help in return migration?
4. Does the office help spread awareness on the issue of human trafficking?
5. What are the steps to ensure the protection of women migrants who have been involved in trafficking rings?
6. For those who cannot get refugee status are referred to where?
7. Any on the ground projects aiding women migrants?

# SIT Study Abroad

a program of World Learning



## CONSENT FORM

### 1. Brief description of the purpose of this study

The purpose of this study is to address the issues that migrant women from Nigeria and other parts of Sub-Saharan Africa face during their migration journey. In addition to issue faced during the journey my research will also look into how women are being treated once they are in Morocco in regards to services offered to them and the way they are treated by local Moroccans.

### 2. Rights Notice

In an endeavor to uphold the ethical standards of all SIT ISP proposals, this study has been reviewed and approved by a Local Review Board or SIT Institutional Review Board. If at any time, you feel that you are at risk or exposed to unreasonable harm, you may terminate and stop the interview. Please take some time to carefully read the statements provided below.

- a. **Privacy** - all information you present in this interview may be recorded and safeguarded. If you do not want the information recorded, you need to let the interviewer know.
- b. **Anonymity** - all names in this study will be kept anonymous unless the participant chooses otherwise.
- c. **Confidentiality** - all names will remain completely confidential and fully protected by the interviewer. By signing below, you give the interviewer full responsibility to uphold this contract and its contents. The interviewer will also sign a copy of this contract and give it to the participant.

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Participant's name printed

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Participant's signature and date

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Interviewer's name printed

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Interviewer's signature and date

